

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

De La Cruz et al.

Serial No: 10/761,163

Filed: 1/20/2004

Title: **MANAGING FAILOVER OF J2EE
COMPLIANT MIDDLEWARE IN A HIGH
AVAILABILITY SYSTEM**

Group Art Unit: 2113

IBM CORPORATION
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**REPLY AND AMENDMENT TO A NON-FINAL OFFICE ACTION
UNDER 37 C.F.R. § 1.111**

Mail Stop Box Non-Fee Amendment (Pats)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

A. INTRODUCTORY COMMENTS

In response to the Non-Final Office Action having a mailing date of September 28, 2006, with a three-month shortened statutory period for response set to expire on December 28, 2006, Applicants respectfully request reconsideration of the outstanding rejections and reexamination of the present application in light of the following amendments and remarks.

No extension of time is believed to be necessary. If, however, an extension of time is required, the undersigned hereby authorizes the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.